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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

COMMON CAUSE / GEORGIA;)
LEAGUE OF WOMEN VOTERS)
OF GEORGIA, INC.; THE)
CENTRAL PRESBYTERIAN)
OUTREACH AND ADVOCACY)
CENTER, INC.; GEORGIA)
ASSOCIATION OF BLACK ELECTED)
OFFICIALS, INC.; THE NATIONAL)
ASSOCIATION FOR THE)
ADVANCEMENT OF COLORED)
PEOPLE (NAACP), INC., through its)
Georgia State Conference of Branches;)
GEORGIA LEGISLATIVE BLACK)
CAUCUS; CONCERNED BLACK)
CLERGY OF METROPOLITAN)
ATLANTA, INC.; NATIONAL)
COUNCIL OF JEWISH WOMEN, INC.,)
the following qualified and registered)
voters under Georgia law:)
MR. EUGENE TAYLOR, and)
MS. BERTHA B. YOUNG,)

Plaintiffs,)

v.)

CIVIL ACTION
FILE NO. 4:05-CV-201-HLM

MS. EVON BILLUPS, Superintendent of)
Elections for the Board of Elections and)
Voter Registration for Floyd County and the)
City of Rome, Georgia; MS. TRACY)
BROWN, Superintendent of Elections of)
Bartow County, Georgia; MR. GARY)
PETTY, MS. MICHELLE HUDSON,)
MS. AMANDA SPENCER, MR. RON)

McKELVEY, AND MS. NINA)
CRAWFORD, members of the Board of)
Elections and Registration of Catoosa)
County, Georgia; JUDGE JOHN PAYNE,)
Superintendent of Elections of Chattooga)
County, Georgia; MS. SHEA HICKS,)
Superintendent of Elections for Gordon)
County, Georgia; MS. JENNIFER A.)
JOHNSON, Superintendent of Elections)
for Polk County, Georgia; MR. SAM)
LITTLE, Superintendent of Elections for)
Whitfield County, Georgia; individually)
and in their respective official capacities as)
superintendents or members of the)
elections boards in their individual)
counties, and as CLASS)
REPRESENTATIVES under Fed.R.Civ.P.)
23(b)(1) and (b)(2) of a class consisting of)
all superintendents and members of city)
and county boards of elections)
throughout the State of Georgia; and)
))
KAREN HANDEL, individually and in)
her official capacities as Secretary of State)
of Georgia and Chair of the Georgia)
Elections Board,)
))
Defendants,)
))
and)
))
STATE ELECTION BOARD,)
))
Intervenor.)

**FIRST AMENDMENT TO SECOND AMENDED COMPLAINT FOR
DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiffs hereby file this amendment to their currently pending Second Amended Complaint for the purpose of (1) adding two individual plaintiffs and (2) reflecting the automatic substitution of Secretary of State Karen Handel as a defendant in place of former Secretary of State Cathy Cox.

1.

Pursuant to Local Rule 15.1, the plaintiffs hereby incorporate by reference all of the allegations in the Second Amended Complaint filed on April 26, 2006, with the exception of (a) the allegations of paragraph 2 of that document; (b) the provisions of Paragraph 3(a)(vii) of that document; and (c) those claims and allegations that the Court dismissed in its Order on June 29, 2006.

2.

The individual plaintiffs are:

- (a) **Ms. Bertha B. Young**, an African-American citizen and duly qualified and registered voter residing in the City of Rome and Floyd County, Georgia,

Ms. Young is a citizen of the State of Georgia and is legally registered and duly qualified to vote in local, state and national elections in

Georgia, but does not possess a Georgia driver's license, passport or other form of photographic identification specified in the 2006 Photo ID Act.

- (b) **Mr. Eugene Taylor**, an African-American citizen and duly qualified and registered voter residing in the City of Sylvania and Screven County, Georgia,

Mr. Taylor is a citizen of the State of Georgia and is legally registered and duly qualified to vote in local, state and national elections in Georgia, but does not possess a Georgia driver's license, passport or other form of photographic identification specified in the 2006 Photo ID Act.

3.

In addition to the defendants listed in Paragraph 3 of the Second Amended Complaint, **Karen Handel**, is sued individually and in her official capacity as Secretary of State of the State of Georgia, in which capacity she is the Chair of the State Election Board by O.C.G.A. § 21-2-30(d), and has been designated as the Chief Election Official for purposes of the federal Help America Vote Act of 2002 by O.C.G.A. § 21-2-50.2, and also the Chief Election Official for purposes of the National Voter Registration Act of 1993 by O.C.G.A. § 21-2-210;

WHEREFORE, Plaintiffs respectfully pray that the Court enter the relief requested in the Second Amended Complaint and any other and further such relief as would be just and equitable.

This 13th day of August, 2007.

Respectfully submitted,

/s/David G.H. Brackett

Emmet J. Bondurant
Georgia Bar No. 066900
David G.H. Brackett
Georgia Bar No. 068353
Jason J. Carter
Georgia Bar No. 141669

BONDURANT, MIXSON & ELMORE, LLP

3900 One Atlantic Center
1201 W. Peachtree Street
Atlanta, Georgia 30309
Telephone: 404-881-4100
Facsimile: 404-881-4111
E-mail: bondurant@bmelaw.com
brackett@bmelaw.com
shalf@bmelaw.com
carter@bmelaw.com

Edward Hine, Jr.
Georgia Bar No. 355775

Suite 300, Box 5511
111 Bridgepointe Plaza
Rome, Georgia 30162-5511
Telephone: 706-291-2531
Facsimile: 706-291-1301
E-mail: ehinejr@bellsouth.net

Miles J. Alexander
Georgia Bar No. 009000
Seth A. Cohen
Georgia Bar No. 175198

1100 Peachtree Street, NE
Suite 2800
Atlanta, Georgia 30309
Telephone: 404-815-6500
Facsimile: 404-815-6555
E-mail: MAlexander@kilpatrickstockton.com
SCohen@kilpatrickstockton.com

Ralph I. Knowles
Georgia Bar No. 426721

DOFFERMYRE, SHIELDS, CANFIELD,
KNOWLES & DEVINE, LLC
1355 Peachtree Street
Suite 1600
Atlanta, Georgia 30309
Telephone: 404-881-8900
Facsimile: 404-881-3007
E-mail: rknowles@dsckd.com

Gerald Weber
Georgia Bar No. 744878
Elizabeth Littrell
Georgia Bar No. 454949
Margaret F. Garrett
Georgia Bar No. 255865

ACLU OF GEORGIA
70 Fairlie Street, SW
Suite 340
Atlanta, Georgia 30303
Telephone: 404-523-6201
Facsimile: 404-577-0181

E-mail: gweber@acluga.org
blittrell@acluga.org
mgarrett@acluga.org

Neil Bradley
Georgia Bar No. 075125
Laughlin McDonald
Georgia Bar No. 489550
Meredith Bell-Platts
Georgia Bar No. 048948

ACLU SOUTHERN REGIONAL OFFICE
2600 Marquis One Tower
245 Peachtree Center Avenue, NE
Atlanta, Georgia 30303-1227
Telephone: 404-523-2721
Facsimile: 404-653-0331
E-mail: nbradley@aclu.org
lmcdonald@aclu.org

Jon Greenbaum
LAWYERS COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1401 New York Avenue, NW
Suite 400
Washington, D.C. 20005
Telephone: 202-662-8315
Facsimile: 202-628-2858
E-mail: jgreenbaum@lawyerscommittee.org

Kimberly Perkins
The National Association for the Advancement
of Colored People (NAACP), Inc.
4805 M. Hope Drive
Baltimore, Maryland 21215-3297
Telephone: 410-580-5794

Theodore M. Shaw
Director-Counsel
Norman J. Chachkin
Debo P. Adegbile
NAACP Legal Defense & Educational
Fund, Inc.
99 Hudson Street, 16th floor
New York, NY 10013
Telephone: 212-965-2200
Facsimile: 212-226-7592

Tisha R. Tallman
Georgia Bar No. 696949
Southeast Regional Counsel
MALDEF, The Mexican American Legal Defense & Educational Fund
41 Marietta Street, Suite 1000
Atlanta, GA 30303
Telephone: 678-559-1071
Toll free: 877-4 MALDEF (1-877-462-5333)
Facsimile: 678-559-1079
E-mail: ttallman@maldef.org

Daniel B. Kohrman
AARP FOUNDATION LITIGATION
601 E Street, N.W., Suite A4-240
Washington DC 20049
Telephone: 202-434-2064
Facsimile: 202-434-6424
E-mail: dkohrman@aarp.org

Attorneys for Plaintiffs